

**Senate File 499 - Introduced**

SENATE FILE 499  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SF 309)

**A BILL FOR**

1 An Act prohibiting certain disability payments related to  
2 military service from being used as offsets within the Iowa  
3 public employees' retirement system.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 97B.50A, subsection 5, Code 2011, is  
2 amended to read as follows:

3 5. *Offset to allowance.* Notwithstanding any provisions  
4 to the contrary in state law, or any applicable contract  
5 or policy, any amounts which may be paid or payable by the  
6 employer under any workers' compensation, unemployment  
7 compensation, employer-paid disability plan, program, or  
8 policy, or other law to a member, and any disability payments  
9 the member receives pursuant to the federal Social Security  
10 Act, 42 U.S.C. § 423 et seq., shall be offset against and  
11 payable in lieu of any retirement allowance payable pursuant  
12 to this section on account of the same disability. However,  
13 any amounts which may be paid or payable by the employer if  
14 the employer-paid disability plan, program, or policy derives  
15 from serving in the armed services of the United States and  
16 the employee is discharged or separated from service in the  
17 armed forces under honorable conditions shall not be offset  
18 against and payable in lieu of any retirement allowance payable  
19 pursuant to this section on account of the same disability.

20 EXPLANATION

21 This bill requires that any disability payments earned for  
22 service in the armed services of the United States not be  
23 used to offset allowances within the Iowa public employees'  
24 retirement system (IPERS) for IPERS members who are employed in  
25 a protection occupation.